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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/970,582	10/04/2001	Leon H. Weyant	01062	1181
24386	7590	01/07/2004		EXAMINER LEE, SEUNG H
ROBERT W PITTS PO BOX 11483 WINSTON-SALEM, NC 27116-1483			ART UNIT 2876	PAPER NUMBER

DATE MAILED: 01/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/970,582	WEYANT, LEON H.	
	Examiner Seung H Lee	Art Unit 2876	MW

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 03 September 2003.
- 2a) This action is **FINAL**.      2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-39 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-39 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. §§ 119 and 120

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) All b) Some \* c) None of:  
1. Certified copies of the priority documents have been received.  
2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) The translation of the foreign language provisional application has been received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                  | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)         | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

1. Receipt is acknowledged of the amendment filed on 03 September 2003, which has been entered in the file.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1-8 and 10-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kokubu (US 5,710,421, of record) in view of Crosley et al. (US 4,837,822, of record)(hereinafter referred to as 'Crosley') and McCabe et al. (US 6,068,192, of record)(hereinafter referred to as 'McCabe').

Kokubu teaches that an IC card (28) also serving as a key card, a booklet, and a pamphlet in which the IC card comprising two sides (1a and 1b) wherein two sides are foldable in half along a hinge portion (5) in which an adhering synthetic resin sheet (3) is serving as a thin-flexible membrane bonded to inside surface of the two sides wherein the adhering synthetic sheet does not cover the contact, a first side or planar (1a) including an I/O interface or an electronic contact (10), a memory or storing section (20), an antenna (16) for contact less communication when the two sides are closed in which is only showing one side of the card (see Figs. 1-4; col. 2, line 32- col. 6, line 17).

However, Kokubu fairly teaches the card is used as an electronic card and the card includes a magnetic stripe for storing information.

Crosley teaches that an electronic lock system (20) comprising a reader/writer (27) for reading information from the magnetic stripe (31) of the card (32) then open lock, and programming a data area (102) (see Fig. 2-8; col. 4, line 23- col. 5, line 65).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Crosley to the teachings of Kokubu in order to provide an alternative means for operating the electronic lock system by reading information from the magnetic stripe on the IC card in case of failure of the IC card reader that is reading data from the memory of the IC card. Moreover, such modification would further provide an alternative means for accessing the system using data stored on the magnetic stripe of the IC card if the IC card reader is not readily available for reading data at the site of the electronic lock system.

Although, Kokubu as modified by Crosley teaches the electronic card key to open lock, they fairly particularly teach the electronic key card include printed information thereon.

However, McCabe teaches the foldable IC card (10) having magnetic stripe (22) including a read/write track (25) on the backside of the IC card and the IC card also having printed information such as logo or company name (112) on a front side of the IC card in which information is printed under the transparent layer or polyester film (144), the IC card also including information (28) such as an account number, an expiration date, and an account holder name wherein information are embossed out, and the

thickness of the IC card is 0.0625 inches, the width of the IC card is 3.375 inches, and the height of the IC card is 2.215 inches (see Figs. 2-5, 7-10; col. 4, line 23- col. 5, line 65; col. 8, lines 43-59).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of McCabe to the teachings of Kokubu/Crosley in order to provide additional information means for printing logo or account information on the IC for visual verification purposes. Moreover, such modification would provide an alternative means for entering the account information (i.e., an account number and an expiration date) manually in case of failure of reading information from the magnetic stripe and/or the memory of the IC card. Furthermore, such modification would have been an obvious design variation to modify the thickness, width, and height of the IC card in order to meet the ISO 7816 standard, and therefore an obvious expedient.

4. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kokubu as modified by Crosley and McCabe as applied to claim 1 above, and further in view of Ueda (US 4,849,617, of record).

The teachings of Kokubu/Crosley/McCabe have been discussed above.

Although, Kokubu/Crosley/McCabe teaches two sides key card, they fail to teach the third panel of the IC card.

However, Ueda teaches an IC card (2) comprising three bodies (4-6) wherein a linkage member (6) is joining both of other members (see Figs. 3(a)-3(c); col. 2, lines 25-65).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to teachings of Ueda to the teachings of Kokubu/Crosley/McCabe in order to provide an improved system for protecting the circuitry of the IC card against the static destruction by folding the IC card, that is, the IC card in the folded position eliminate/minimize touches of user(s) and/or object bearing static charges.

5. Claim 39 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kokubu as modified by Crosley and McCabe as applied to claim 18 above, and further in view of Ohara et al. (US 5,739,814, of record)(hereinafter referred to as 'Ohara').

The teachings of Kokubu/Crosley/McCabe have been discussed above.

Although, Kokubu/Crosley/McCabe teaches two sides booklet, they fail to teach the pages of the booklet is attachable.

However, Ohara teach an electronic book (6) comprising a multiple pages (44) wherein pages can be detachable (see Figs. 4-6; col. 4, lines 32-62).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to teachings of Ohara to the teachings of Kokubu/Crosley/McCabe in order to provide an improved and an enhanced system wherein the user(s) can access data stored in the plurality of electronic pages by swapping/alternating electronic

pages by structuring electronic books in which the electronic books connects electronic pages unitarily, that is, electronic pages can be detached and/or attached from the book if the electronic pages can be connected unitarily, and therefore an obvious expedient.

***Response to Arguments***

6. Applicant's arguments filed 03 September 2003 have been fully considered but they are not persuasive.

In response to the applicant's argument that "*the Kokubu IC card is not suitable for insertion in a standard reader device*" (see page 7, line 9+), the Examiner respectfully disagrees with the applicant wherein the IC card of Kokubu can be used in closed configuration using contactless card reader.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., reducing the amount of space available for printed matter) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). In this case, claims do not specify what space is available for printed matter.

In response to the applicant's argument that "*There is no suggestion that the card comprising.....conveying printed information.....*" (see page 7, line 25+), the Examiner respectfully disagrees with the applicant wherein the Card of McCabe clearly display/show company logo and/or name.

In response to the applicant's argument that "...*the linkage member does not comprise a third panel as claimed.*" (see page 8, line 24+), the Examiner respectfully disagrees with the applicant wherein the claims does not particularly define shape of the panel, therefore the linkage member of Ueda can be used as a third panel as discussed in paragraph 4 above.

In response to the applicant's argument that "...*the linkage member does not comprise a third panel as claimed.*" (see page 8, line 24+), the Examiner respectfully disagrees with the applicant wherein the claims does not particularly define shape of the panel, therefore the linkage member of Ueda can be used as a third panel as discussed in paragraph 4 above.

In response to the applicant's argument that "...*there is no suggestion that pages of the booklet are detachable as claimed.*" (see page 8, line 27+), the Examiner respectfully disagrees with the applicant wherein Ohara teaches various embodiments (Figs. 4, 7, and 8) of booklets in which booklets are consisting of individual pages in such that the individual pages can be detachable for carrying printed and/or recorded information thereon as discussed in paragraph 5 above.

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Rasmussen [US 5,373,149] discloses a folding electronic card.

Any inquiry concerning this communication or earlier communication from the examiner should be directed to Seung H. Lee whose telephone number is (703) 308-5894. The examiner can normally be reached on Monday to Friday from 7:30 AM to 4:00 PM.

Any inquiry concerning this communication or earlier communication from the examiner should be directed to Seung H. Lee whose telephone number is (703) 308-5894, and new telephone number (571) 272-2401 will be effective on 15 January 2004. The examiner can normally be reached on Monday to Friday from 7:30 AM to 4:00 PM.

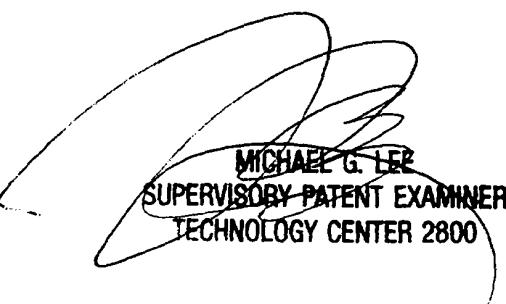
If attempt to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee, can be reached on (703) 305-3503. The fax-phone number for this group is (703) 872-9306.

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [seung.lee@uspto.gov].

*All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.*

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0956.

*jln*  
Seung H. Lee  
Art Unit 2876  
December 29, 2003



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